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Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Written statement* submitted by Khiam Rehabilitation Center for Victims of Torture, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[10 February 2016]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

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The right to protest in Bahrain since 2011

Since the uprising in 2011 in Bahrain, several restrictions on the right to freedom of assembly in the country are in place.

Since January 2015, there is a complete ban on all public rallies, assembly and demonstrations in the country. This ban is in clear breach of Article 21 of the ICCPR which states "The right of peaceful assembly shall be recognized." Moreover, the ban does not comply with the Bahrain Independent Commission Inquiry (BICI) recommendations and the UN Universal Periodic Review (UPR) recommendations which both stressed on the role of authorities in protecting the right to freedom of peaceful assembly. The protests that do take place are often violently broken up by security forces.

In July 2013, in face of on-going protests and rising levels of violence, King Hamad decreed additions to Bahrain's antiterrorism law that imposed heavy penalties on those convicted of demonstrating unlawfully, including large fines and the stripping of citizenship. Several protesters were killed by police in 2014, including 14-year-old Muhammed Mohsen in Sitra in April. The government continues to target children, regularly arresting and detaining minors. Courts sentenced dozens of protesters to long prison terms for illegally protesting or on suspicion of complicity in bomb attacks.

For example, political activist Mohammad al-Maskati was sentenced to six months in prison in December 2014 for' rioting and participating in an illegal gathering' in relation to his participation in a peaceful demonstration in Manama in 2012.

- Mohammed Al-Maskati has been repeatedly subjected to harassment and intimidation in relation to his human rights activism, including from the Ministry of Interior, which accused him of "inciting hatred against the regime" in relation to a speech he made on 8 September 2013 in the city of Jidhafs in which he discussed human rights and international legal mechanisms. He was released on the condition that he sign a declaration stating that he will present himself before the public prosecutor at any time.

- Another activist, Ahmad Mshaima' stood trial in May, five months after his arrest, charged with "illegal gathering with intent to commit crimes and disturb public security". He alleged that security officials tortured him in the days following his arrest, but the authorities did not investigate his allegations. He was released on bail in June but rearrested in November and sentenced in December to one year's imprisonment on a charge of "insulting the King".

RECOMMENDATIONS:

- Urge the UN Special Rapporteur on the Rights to Freedom of Peaceful Assembly and of Association, Mr. Maina Kiai, to continue his efforts to grant admission to Bahrain by sending another request, insisting to visit Bahrain this year.

References

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SALAM for Democracy and Human rights, an NGO without consultative status, also shares the views expressed in this statement.